

VIETNAM VETERANS MEMORIAL VISITOR CENTER DEADLINE ENFORCEMENT ACT

MARCH 28, 2006.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. POMBO, from the Committee on Resources,
submitted the following

R E P O R T

[To accompany H.R. 4882]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 4882) to ensure the proper remembrance of Vietnam veterans and the Vietnam War by providing a deadline for the designation of a visitor center for the Vietnam Veterans Memorial, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 4882 is to ensure the proper remembrance of Vietnam veterans and the Vietnam War by providing a deadline for the designation of a visitor center for the Vietnam Veterans Memorial.

BACKGROUND AND NEED FOR LEGISLATION

On November 1, 2003, legislation authorizing the construction of the Vietnam Veterans Memorial Visitor Center was signed into law by President George W. Bush (Public Law 108-126). Since then, the Vietnam Veterans Memorial Fund (VVMF) and the National Park Service (NPS) have worked jointly and extensively to complete a analysis of the site for the visitor center. They have completed all the necessary evaluations and environmental analysis required by the National Capital Planning Commission (NCPC) under the Commemorative Works Act. Their work continued through November 2005, when VVMF and NPS transmitted to NCPC an extensive traffic analysis in preparation for a December

1, 2006, meeting, at which time NCPC was to take final comments on the preferred site for the visitor center. However, the night before the meeting, the NCPC unexpectedly removed the visitor center from its agenda. The NCPC requested that NPS and VVMF conduct an additional environmental assessment, which would be in addition to the already completed environmental analysis.

In February 2006, a meeting with Resources Committee Chairman Richard Pombo, the author of the original law authorizing the visitor center, took place with representatives from VVMF, NPS and NCPC. During the meeting, Chairman Pombo asked the Chairman of the NCPC when the process would be completed and the decision made on a site for the visitor center. His reply was that the NCPC could not give a date certain—that it was still collecting information and studying the recommendations. Thus, it was clear that legislation was necessary to assert Congressional authority to reduce the unusual delays associated with selecting a site for the Vietnam Veterans Memorial Visitor Center.

COMMITTEE ACTION

H.R. 4882 was introduced on March 7, 2006, by Congressman Richard Pombo (R-CA). The bill was referred to the Committee on Resources. On March 15, 2006, the Committee on Resources met to consider the bill. No amendments were offered and the bill was ordered favorably reported to the House of Representatives by a roll call vote of 32 to 0, as follows:

ROLLCALL NO. 32

| | Yea | Nay | Present |
|-------------------------------|-----|-----|---------|
| Mr. Pombo, CA, Chairman | X | | |
| Mr. Rahall, WV | X | | |
| Mr. Young, AK | | | |
| Mr. Miller, CA | | | |
| Mr. Saxton, NJ | | | |
| Mr. Markey, MA | X | | |
| Mr. Gallegly, CA | | | |
| Mr. Kildee, MI | X | | |
| Mr. Duncan, TN | | | |
| Mr. DeFazio, OR | X | | |
| Mr. Gilchrest, MD | X | | |
| Mr. Faleomavaega, AS | | | |
| Mr. Calvert, CA | | | |
| Mr. Abercrombi, HI | X | | |
| Mrs. Cubin, WY | X | | |
| Mr. Ortiz, TX | X | | |
| Mr. Radanovich, CA | X | | |
| Mr. Pallone, NJ | | | |
| Mr. Jones, NC | | | |
| Mrs. Christensen, VI | X | | |
| Mr. Cannon, UT | | | |
| Mr. Kind, WI | | | |
| Mr. Peterson, PA | X | | |
| Mr. Inslee, WA | X | | |
| Mr. Gibbons, NV | X | | |
| Mrs. Napolitano, CA | X | | |
| Mr. Walden, OR | X | | |
| Mr. Tom Udall, NM | X | | |
| Mr. Tancredo, CO | X | | |
| Mr. Mark Udall, CO | | | |
| Mr. Hayworth, AZ | X | | |
| Mr. Grijalva, AZ | X | | |

ROLLCALL NO. 32—Continued

| | Yea | Nay | Present |
|--------------------------|-----|-----|---------|
| Mr. Flake, AZ | | | |
| Mr. Cordoza, CA | | | |
| Mr. Renzi, AZ | X | | |
| Ms. Bordallo, Guam | X | | |
| Mr. Pearce, NM | X | | |
| Ms. Herseth, SD | X | | |
| Mr. Brown, SC | X | | |
| Mr. Costa, CA | X | | |
| Mrs. Drake, VA | X | | |
| Mr. Melancon, LA | | | |
| Mr. Fortuño, PR | X | | |
| Mr. Boren, OK | X | | |
| Miss McMorris, WA | X | | |
| Mr. Jindal, LA | X | | |
| Mr. Gohmert, TX | | | |
| Mrs. Musgrave, CO | X | | |
| Total | 32 | | |

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8, and Article IV, section 3 of the Constitution of the United States grant Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in tax expenditures.

3. General Performance Goals and Objectives. This bill does not authorize funding and therefore, clause 3(c)(4) of rule XIII of the Rules of the House of Representatives does not apply.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

H.R. 4882—Vietnam Veterans Memorial Visitor Center Deadline Enforcement Act

H.R. 4882 would designate a location for a visitor center for the Vietnam Veterans Memorial in Washington, D.C. The bill also would require that the administrative process for approving plans for the center, as delineated in the Commemorative Works Act (CWA), be completed within 30 days of enactment.

CBO estimates that implementing H.R. 4882 would have no effect on the federal budget. In 2003, Public Law 108–126 authorized the Vietnam Veterans Memorial Fund, Inc., to build a visitor center near the Vietnam Veterans Memorial. Under the CWA, the design and location of the center is subject to approval by the National Capital Planning Commission, which has not yet acted on these matters. H.R. 4882 would provide the necessary approvals to allow the project to move forward. Enacting S. 1913 would not affect revenues or direct spending.

The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Deborah Reis. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104–4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

If enacted, this bill would make the following changes to existing law:

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italics and existing law in which no change is proposed is shown in roman):

SECTION 6 OF PUBLIC LAW 96–297

AN ACT To authorize the Vietnam Veterans Memorial Fund, Inc., to establish a memorial.

SEC. 6. VISITOR CENTER.

(a) * * *

* * * * *

(e) DEADLINE.—Notwithstanding any other law, the visitor center authorized by subsection (a) shall be located in the open land in the triangular land area between Henry Bacon Drive, 23rd Street, Constitution Avenue, and the Lincoln Memorial, and final approval of the visitor center shall occur no later than 30 days following enact-

*ment of the Vietnam Veterans Memorial Visitor Center Deadline
Enforcement Act.*

